THE HONOURABLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No :10514 of 2007

DATED:05-06-2007

BETWEEN:

Pindi Venkatagiri.

..... PETITIONER

AND

The State of Andhra Pradesh,
Rep., by its Principal Secretary to Home Department,
Secretariat,
Hyderabad & 4 others.

.....RESPONDENTS

ORDER:

Heard learned counsel appearing for the petitioner as well as the learned Government Pleader for Home appearing for the respondents.

2. Petitioner seeks a writ of mandamus declaring the action of the respondents in directing the petitioner to stop the construction activity in the site admeasuring 400 sq.yards in plot No.5 covered by survey No.128/4 and 129 of China Mushidivada village situated in Naval Armament Depot Employees Cooperative Building Society Limited Colony, Chanakyanagar within the limits of Greater Visakhapatnam Municipal Corporation, as illegal and arbitrary.

3. Counter has been filed by the 5th respondent stating that some disputes arose between Smt.P.Sarala and the vendor of the petitioner namely Satya Bhaskar and in that process an altercation took place between them and consequently on a complaint lodged by the said Bhaskar a criminal case in Cr.No.118 of 2007 for the offence punishable under Sections 447, 506 r/w 34 IPC was registered on
23-04-2007 and after completion of investigation the said complaint was referred as 'false' on 10-04-2007. On a complaint made by the said Sarala Cr.No.119 of 2007 was registered on 24-

03-2007 for the offences punishable under Section 420 IPC and Sec.3(i) (v) (viii) (x) of SC/ST (POA) Act, 1989 and charge sheet was filed on 03-05-2007 on the file of the III Metropolitan Magistrate, Visakhapatnam. Insofar as the allegation that the respondents interfered with the construction activity of the petitioner is concerned, the same has been denied.

4. In view of the aforesaid facts and circumstances and also in view of the denial of the allegation that the police interfered with the construction activity of the petitioner no further orders need be passed in this Writ Petition.

5. Accordingly, the Writ Petition is closed. No order as to costs.

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V.ESWARAIAH,J

05th June, 2007.
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